

REMARKS

Applicants have the following response to the rejections in the Office Action.

Claim Rejections - 35 USC §103

In the Office Action, the Examiner has the following rejections under 35 USC §103:

1. Claims 1, 13, 31, 47 and 51 as being unpatentable over Hiraga et al. (US 6,139,321) in view of Harrah et al. (US 4,405,487) and Matsuura et al. (US 6,001,413) and Nowobilski (US 5,328,336).
2. Claims 2 and 14 as being unpatentable over Hiraga et al., Harrah et al. and Matsuura et al. and Nowobilski and further in view of Begin et al. (US 5,310,410).
3. Claims 3 and 15 as being unpatentable over Hiraga et al., Harrah et al. and Matsuura et al. and Nowobilski and further in view of Kakei et al. (US 3,931,789).
4. Claims 4, 34 and 38 as being unpatentable over Hiraga et al. in view of Harrah et al., Matsuura et al. and Nowobilski in view of Conte (US 6,149,392).
5. Claim 5 as being unpatentable over Hiraga et al., Harrah et al., Matsuura et al. and Conte and Nowobilski and further in view of Begin et al.
6. Claim 6 as being unpatentable over Hiraga et al., Harrah et al., Matsuura et al. and Conte and further in view of Kakei et al.
7. Claims 7-8, 16-17, 37, 49 and 52 as being unpatentable over Hiraga et al. in view of Harrah et al., Matsuura et al. and in view of Begin et al. and Nowobilski.
8. Claims 9 and 18 as being unpatentable over Hiraga et al., Harrah et al., Matsuura et al. and Begin et al. and Nowobilski and further in view of Kakei et al.
9. Claims 10, 11, 40 and 50 as being unpatentable over Hiraga et al. in view of Harrah et al., Matsuura et al. in view of Begin et al. and in view of Conte and Nowobilski.
10. Claim 12 as being unpatentable over Hiraga et al., Harrah et al., Matsuura et al., Begin et al. and Conte and Nowobilski and further in view of Kakei et al.
11. Claims 32 and 33 as being unpatentable over Hiraga, Harrah, and Matsuura et al. and Nowobilski and further in view of Zheng (US 6,124,215).
12. Claims 35 and 36 as being unpatentable over Hiraga, Harrah, Matsuura et al. and

Conte and Nowobilski and further in view of Zheng.

13. Claims 38-39 and 45-46 as being unpatentable over Hiraga, Harrah, Matsuura et al. and Begin and Nowobilski and further in view of Zheng.
14. Claims 41 and 42 as being unpatentable over Hiraga, Harrah, Matsuura et al., Begin and Conte and Nowobilski and further in view of Zheng.
15. Claims 43 and 44 as being unpatentable over Hiraga, Harrah, and Matsuura et al. and Nowobilski and further in view of Zheng.
16. Claims 53 and 57 as being unpatentable over Hiraga et al., Harrah et al. and Matsuura et al. and Nowobilski and further in view of Walter (U.S. 4,118,542).
17. Claim 54 as being unpatentable over Hiraga et al., Harrah et al., Matsuura et al. and Conte and Nowobilski and further in view of Walter.
18. Claims 55 and 58 as being unpatentable over Hiraga et al., Harrah et al., Matsuura et al. and Bergin et al. and Nowobilski and further in view of Walter.
19. Claim 56 as being unpatentable over Hiraga et al., Harrah et al., Matsuura et al., Bergin et al., Conte and Nowobilski and further in view of Walter.

Each of these rejections is respectfully traversed.

Each of the rejections relies upon a combination of Hiraga, Harrah, Matsuura and Nowobilski (and then other references as deemed necessary by the Examiner). While Applicants traverse these rejections, in order to advance the prosecution of this application and to clarify the claimed invention, Applicants are amending independent Claims 1, 4, 7, 10, 13 and 16. As explained below, the film deposition apparatus of these claims is not disclosed or suggested by these references.

Initially, Applicants note that in the prior amendment, Applicants amended these claims to recite “for controlling a time of the oxidization.” The Examiner contends that this is a recitation drawn to an intended use of the apparatus and no structural difference is imparted by the language. In order to move this application forward, Applicants are deleting this language.

Applicants are amending the independent claims to recite the feature of “wherein said oxygen gettering agent is encapsulated by closing said lid.” This feature is supported in the present application by, for example, page 9, lines 8-9 of the specification and Fig. 2B. This feature is not disclosed or suggested in the cited references.

In the Office Action, the Examiner admits that Hiraga, Harrah and Matsuura fail to disclose a mechanism for oxidizing is an oxidation cell having a lid, as in the pending claims. The Examiner cites Nowobilski as allegedly disclosing a container (1) with a closing means (5) for “the purposes of preventing the getter material from escaping.”

However, what Nowobilski appears to disclose is a container constructed with sintered particles for forming a getter capsule which is capable of being employed in vacuum systems, wherein the container can retain getter powder within its interior cavity, but, at the same time, allows reactive gases, such as hydrogen, and any product gases, such as water, to diffuse into or out of its interior cavity. The container has sufficiently sized pores which are uniformly distributed to enhance the reaction between the getter material and the gas impurities since the gas impurities can be uniformly distributed to the surface of the getter material in the container. See e.g. col. 3, line 51 - col. 4, line 3 in Nowobilski. Hence, while this container with “closing means” can retain getter powder in the container and allow the easy replacement of getter material, the getter material is not encapsulated by the closing means. Hence, in contrast to the claimed invention, there is no disclosure or suggestion in Nowobilski of the structure of the claimed mechanism including an oxidation cell having a lid with oxygen gettering agent encapsulated by closing the lid or a structure capable of encapsulating the gettering agent.

Therefore, even if it were proper to combine Hiraga, Harrah, Matsuura and Nowobilski (and the other references), such a combination still would not disclose or suggest the claimed invention.

Accordingly, independent Claims 1, 4, 7, 10, 13 and 16, and those claims dependent therefrom, and the claims are patentable over these references, and it is respectfully requested that all the §103 rejections be withdrawn.

New Claims

Applicants are also adding new Claims 59-62. Applicants respectfully request that these new claims be entered and allowed.

Please charge our deposit account 50/1039 for any fee due for these new claims.

Information Disclosure Statement

Applicants filed an information disclosure statement (IDS) on December 29, 2006 (received by the Patent Office on January 5, 2007), prior to the issuance of this Office Action. It is respectfully requested that this IDS be entered and considered prior to the issuance of any further action on this application.

Conclusion

It is respectfully submitted that the present application is in condition for allowance, and should be allowed.

If any fee is due for this amendment, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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